IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1000 OF 2006
IN
FIRST APPEAL NO.340 OF 2006

Smt. Raubai Pandurang Jadhav & Ors. ...Applicants
Vs.
Shri Bajirao Devram Jadhav ...Respondent

Shri P.R. Salvi for the Applicants.
Shri P.M. Pathare for the Respondent.

CORAM : A. S. OKA, J.
DATE : AUGUST 11, 2006.

P.C.:

1. Rule. The Respondent waives service. Taken up for hearing forthwith. By the impugned judgment and decree the learned Trial Court has directed the Applicants to pay a sum of Rs.09,12,088.50ps with interest at the rate of 6% per annum. It is not in dispute that the amount of Rs.09,12,088.50ps is lying in State Bank of India under the orders of the Trial Court. In view of the decree, it is obvious that the present Applicants/Appellants cannot withdraw the said amount. Hence, Civil Application disposed of by passing following order:

(i) The decree passed by the Trial Court will remain stayed till the final disposal of the

Appeal.

(ii) The sum of Rs.9,12,088.50ps which is lying in the State Bank of India will be invested by the Trial Court in the same Bank in fixed deposit initially for a period of three years and thereafter the fixed deposit shall be renewed on yearly basis till the disposal of the Appeal.

(iii) As and when interest is accrued on the fixed deposit, it will be open for the Respondent to apply to this court for withdrawal of the interest amount.

(iv) No orders as to costs.

JUDGE